

this came after Mr. Esper's own decorated military service. His graduation from West Point was followed by Army Ranger training, which then led to serving in the Gulf war with the storied 101st Airborne.

Given the precarious international situation and challenges facing our Nation, I am encouraged that an experienced, tested, and capable leader such as Secretary Esper will be at the helm in the Pentagon. I look forward to working closely with him to defend America and advance our interests.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Madam President, later today, the Senate will officially turn to this year's National Defense Authorization Act. Every year, this legislation focuses this Chamber on one of our most fundamental constitutional duties—providing for the common defense. Every year, the Senate approves authorizing legislation to address the needs of America's men and women in uniform.

Over the past 2 years, our working closely with the Trump administration on the NDAA has yielded big results. We have authorized major investments in everything from new, cutting-edge systems, to improved services for military families, to massive strides toward restoring the readiness of our all-volunteer force. Yet, as the headlines are reminding us every day, this is no time to let up. In fact, it is just the opposite.

Russia's designs on Eastern Europe and the Middle East have certainly not abated nor has Putin's investment in long-range strike capabilities, from advanced hypersonic weapons to new missiles to stealthy submarines, nor has China's increasingly aggressive Pacific strategy nor has Iran's hell-bent commitment to underwriting terrorism and proxy conflicts throughout the Middle East.

So this year's NDAA is built with a heavy emphasis on strengthening our partnerships in the most troubled regions around the world. Of course, it also ensures that the U.S. military will sustain its place as the most-prepared, best-equipped, and most lethal fighting force in the world.

The legislation authorizes tens of billions of dollars for new battle force ships and an expansion of the Joint Strike Fighter Program. It lays the groundwork for expanding missile defense batteries, and it delivers a \$1.4 billion increase in funding for cutting-edge research and development.

From bases across America to posts overseas, the NDAA accounts for the needs of servicemembers and their families. It also prioritizes military construction and addresses problems with military family housing. It streamlines the delivery of benefits through the defense health program, and it unlocks a 3.1-percent pay raise for uniformed personnel.

Of course, our work on the floor in the coming days is just the last chapter. Our colleagues on the Armed Serv-

ices Committee and their staffs have been working overtime on this impressive legislation for many weeks. So, as we take the next step today, we should thank Chairman INHOFE and our colleagues for their leadership thus far.

#### CLEAN POWER PLAN

Madam President, on another matter, the previous administration left a sprawling mess of regulation tangled throughout the Federal Government and the U.S. economy.

Sweeping leftwing visions were dreamt up here in Washington and forced on farm families, domestic manufacturers, and small businesses throughout the country with there being very little regard for the consequences. The reach of regulators grew longer and longer, and the burden on American prosperity became heavier and heavier. So, naturally, rolling back much of this mess and putting Washington back in its place has been a major priority for the Republicans in Congress as well as for the Trump administration.

Yet some actions were so egregious and so likely illegal that the courts put a halt to them before we could even reform or repeal them. As my colleagues recall, the implementation of the so-called Clean Power Plan was frozen by a Supreme Court stay more than 3 years ago, back in 2016.

The Obama administration's War on Coal has already done plenty of damage in places like my home State of Kentucky, but at least this additional hammer blow on so many Americans' livelihoods was held off. It would have weaponized a Federal agency to bury energy producers and all of those who depend on them under one-size-fits-all regulations with duplicative mandates and unrealistic timelines. Also, as the production of the most affordable and reliable energy available to American families would have dried up, it would have left higher electricity costs in its wake.

Higher domestic power prices would have meant fewer American jobs here at home with there having been no meaningful effect on global emissions. Any rational observer would have concluded that this regulation would have been all pain for no gain—just good American jobs having been shipped overseas.

This was a bad idea that many of us here in the Senate fought tooth and nail. Back in 2013 and 2014, after President Obama's EPA Administrator refused my request to come meet with Kentuckians, I held hearings in Kentucky about the negative impacts the plan would have actually had. I worked with Governors to hold off on its implementation. I helped to spearhead an amicus brief in the legal proceedings and led on legislation to overturn the rule.

So unwinding this proposed economic self-sabotage and sticking up for working families has been a top priority of mine and of many of my colleagues for years. Fortunately, it has also been a

major priority for the Trump administration. Last year, it announced a proposed rule to do away with it, and, later today, the EPA will be finalizing it and making it official. I look forward to the administration's rolling out a new policy that upholds the rule of law, keeps the EPA within its statutory role, and encourages American energy reliability and affordability.

This is just one more win for all Americans who live and work in communities where affordable, homegrown American energy sources like coal still matter a great deal. It is another win for States like Kentucky. It is nice to have an administration that isn't narrowly focused on just big, blue, urban areas but that looks out for all of our country.

#### BORDER SECURITY

Madam President, on one final matter, as I have noted before, my colleagues on the Appropriations Committee will today begin marking up a stand-alone funding measure to address the humanitarian crisis on our southern border.

By now, it can hardly be more obvious that the border crisis is unacceptable and unsustainable. I think all of us know perfectly well that immigration is a politically charged subject. Yet, surely, at a minimum, Congress ought to at least be able to provide these emergency funds. This is what my Republican colleagues and I have been saying over and over again for weeks.

Remember, we are talking about money for noncontroversial purposes, mostly for humanitarian efforts. These are resources so that authorities can better accommodate the men, women, and children who have been turning up in record numbers on our southern border—resources to alleviate the overcrowding in facilities and to lighten the untenable burden that our overstretched agencies are having to bear. Whatever the Senate's other disagreements—and there are, certainly, plenty of them—this funding, for these purposes and in the midst of this crisis, should be a slam dunk.

I will not repeat here all of the facts and statistics to show why the status quo is so unsustainable. By now, we all know that the agencies along our border are running on fumes.

The Acting Commissioner of Customs and Border Protection has said:

We are at a full-blown emergency . . . The system is broken.

The Acting Director of Immigration and Customs Enforcement put it this way:

We are begging. We are asking Congress to please help us.

As I have noted several times, even the New York Times' editorial board has seen fit to side with the Trump administration on this issue. One of its two editorials on this subject was headlined: "Congress, Give Trump His Border Money."

It has now been 50 days since President Trump submitted a request for

emergency aid for badly overstretched agencies. In that time, partisan resistance has blocked progress. At least one House Democrat from a border State has publicly admitted that the left flank inside his own caucus has been the obstacle here. Yet, here in the Senate, I think many of us, Republicans and Democrats alike, hope and expect that we can do better than that. This body can take the lead, set a better standard, and deliver a clear message.

If the Appropriations Committee can approve this legislation today across party lines, it will be a big sign of progress. A big bipartisan vote will be a big step toward the Senate's forging a real consensus, where House Democrats have failed, and finally getting this urgently needed funding moving.

I am grateful to Chairman SHELBY and Ranking Member LEAHY for finding common ground and generating this progress.

I urge my fellow committee members on the Democratic side to finally put partisanship aside and vote to advance the kind of targeted, bipartisan solution that this crisis has needed for weeks.

**THE PRESIDING OFFICER.** The Senator from Illinois.

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. DURBIN. I will yield when the minority leader, Senator SCHUMER, comes to the floor.

#### PRESCRIPTION DRUG COSTS

Madam President, a recent briefing told us a story that most Americans can, certainly, understand. People are saying: I can't afford to have cancer. What does that mean? It means the obvious—that 40 percent of Americans lose their entire life savings in 2 years or less after having a cancer diagnosis. The cost of healthcare, particularly for a serious illness, is so high that if you don't have a really good health insurance plan, it will wipe you out. That is the reality.

So is it any wonder that we are concerned about the lawsuit filed by the Trump administration and supported by Republican State attorneys general that would remove the guarantee in the law that reads that people with preexisting conditions can have health insurance? That, to me, is fundamental.

Over a majority of Americans either have a preexisting condition or have someone in the family with such a condition. Without the protection of health insurance, people can find themselves literally wiped out. When we hear that fewer than 50 percent of the people in this country have \$1,000 in savings, we can understand that even a trip to an emergency room can wipe out the meager savings people have been able to put together during the course of their lifetimes.

Why do Republicans and this President still seem determined to lessen

the coverage of health insurance for an American population that is so vulnerable to the high cost of healthcare?

When you ask the major insurance companies what is driving up the cost of health insurance premiums, they tell you it is pretty obvious. More than anything, it is the cost of prescription drugs.

Last night, in Florida, President Trump announced his plans for reelection. I guess my first question to him is this: Will you finish what you promised 4 years ago? On two of the things he promised—infrastructure and doing something about prescription drugs—he has done nothing.

How bad is the prescription drug situation in this country? As I said, it is the biggest driver of the increase in health insurance premiums. When you look at the specifics, you can see it.

Take a look at America's insulin scandal. Insulin was discovered almost 100 years ago by two Canadian researchers who surrendered the U.S. patent rights for \$1 and said at the time that no one should ever get rich on this lifesaving drug. Now look at what we are faced with—Humalog, made by Eli Lilly, a common insulin product. Humalog cost \$21 a vial in 1996. That same vial of Humalog today costs \$275—\$21 to \$275 unless you live in Canada. If you live in Canada, the exact drug, made by the same company, sells for \$39. It costs \$39 just across the border in Canada and \$275 here in the United States.

Is it any wonder that people with diabetes are rationing their insulin and, in doing so, endangering their health, with, sadly, many losing their lives because of that decision?

Why aren't we taking this on? The American people identify this as one of their major concerns when it comes to their economic vulnerability.

We are not taking it on because of the political muscle of PhRMA and the pharmaceutical companies. Sadly, they have this Chamber in a position where we are not entertaining legislation that would control prescription drug pricing, and, frankly, we have no legislative proposal coming forward by the Trump administration.

There are many good ideas out there. For example, do you ever see an ad for a pharmaceutical drug on television? If you don't, then you don't own a television. You can barely turn them on now without some ad for pharma drugs. It reaches the point where people learn how to pronounce and even spell Xarelto, having watched the ad so many times, and they can recite back to you what is said about various drugs that are advertised over and over.

The problems is, of course, that all of the information they give you, as fast as they can talk in 60 or 90 seconds, never includes the price. It never includes the price. HUMIRA, the most heavily advertised drug on television today—how much does it cost for this drug to treat psoriatic arthritis and to clear up the little red spot of psoriasis

on your elbow? It costs \$5,000 a month—\$5,000 a month.

If they were forced to advertise the price of the drug, with all of the claims that they make for the drugs, Americans would at least be notified about what they are getting into if they go to a doctor and ask for HUMIRA, but they will not. They refuse to disclose it.

So in fairness, the Trump administration's Dr. Azar, the head of HHS, called me last year and said he supported the bill that I had introduced calling for price disclosure. The administration is trying to do this by regulation, and I applaud them for that. There is so much more we can do, but I applaud them for that.

Who turned around to sue them in court to stop the requirement of price disclosure on ads? The pharmaceutical companies, including Eli Lilly, the one I just mentioned that has the scandalous pricing of insulin. They don't want Americans to know what they are charging for these drugs. They would rather fight this out over emails between insurance companies and prescription benefit managers and the like.

Well, it is time for us as a Congress, Democrats and Republicans, to acknowledge that we have had enough of this. We want pharma to be profitable so that they engage in more research for more cures, of course, but we can't stand by idly and watch this price gouging at the expense of American patients, those with diabetes and other serious conditions. We should insist, when it comes to pharma, that they have actual price competition.

They can have a patent period where they have exclusive rights to sell a drug. That is the incentive for them to discover these drugs. But there comes a point when there are supposed to be other drugs on the market—generic drugs—that offer the same benefits as the original brand-name drugs but at a much lower price. That was the design of the system. It has fallen apart.

The major drugs for sale in the United States today are going up precipitously in price. In the first 2 years of the Trump administration, 2,500 major drugs in this country saw their cost increase by double digits. That is what we are faced with while the Senate does nothing.

Senator McCONNELL was here today speaking about the agenda and what we need to do. Well, I certainly agree with him. The situation at our border needs to be addressed, and it should be quickly. We are going to take it up this morning in the Appropriations Committee. But beyond that, we need to take a step to deal with the issues that people really care about, issues that affect their daily lives, and No. 1 on that list—and they tell us No. 1 on their own list—is the cost of prescription drugs.

Now is the time for this Congress and Senate to act. You see this empty Chamber? It should be filled with Members of the Senate debating bills to